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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,391	06/23/2005	Susumu Takahashi	116692008300	3335

25227 7590 08/31/2007  
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EXAMINER
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PHAN, THAI Q

ART UNIT	PAPER NUMBER
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2128

MAIL DATE	DELIVERY MODE
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08/31/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/540,391

Applicant(s)

TAKAHASHI ET AL.

Examiner

Thai Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 23 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date June 2005.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

This Office Action is in response to patent application S/N: 10/540,391, filed on 06/23/2005. Claims 1-38 are pending in the Action.

### ***Priority***

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Regarding claim 1, the phrase "a structure (1, 2)" renders the claim unclear for what the structure prefer to or what the structure is.

Regarding to claim 2, the cited "storage means (2)", "part information storage means (22)", "storage means (23)", and so on render the claim unclear for what the annotated numbers are for.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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2. Claims 1 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Van Huben et al, US patent no. 5,812,130.

As per claims 1 and 34, Van Huben anticipates a system for supporting concurrent engineering design with feature limitations very identical to the claimed invention. According to Van Huben, the system includes means, program product, and operative steps to support and facilitate the product design process such that design product is compatible to the design specification in a predetermined manner (col. 2, line 54 to col. 4, line 15, col. 5, lines 22-43, col. 16, line 35 to col. 27, line 25, col. 27, line 20 to col. 29, line 30).

3. Claims 1- 38 are rejected under 35 U.S.C. 102(b) as being anticipated by Katoh et al, US patent no. 6,173,433 B1.

As per claim 1, Katoh anticipates a system for supporting a circuit design and processing the design with feature limitations very identical to the claimed invention. According to Katoh, the design support system includes

A system structure which collectively manages information on a product to facilitate designing the product or extracts information for making the product compatible with a predetermined specification (col. 4, lines 7-63, col. 11, line 30 to col. 12, line 67).

As per claim 2, Katoh anticipates the product design support system that supports a user in designing a product further includes:

storage means including parts-information storage means which stores parts information on parts constituting a product, parts-image-information storage means (col.

11, line 65 to col. 12, line 9), which stores parts image information on parts stored in said parts-information storage means, product-information storage means (col. 12, lines 10-55), which stores product information on said product formed by said parts stored in said parts-information storage means (cols. 12-14), and product-image-information storage means (cols. 12-14) which stores product image information on said product stored in said product-information storage means (cols. 12-14);

specification acquisition means (col. 30, lines 50-65, col. 32, lines 29-67) which acquires specification information designating a specification of a product to be designed;

compatible-product-information extraction means, which extracts from said storage means, information on a product compatible with said specification designated by said specification information acquired by said specification acquisition means and/or information on parts to be constituting elements of said product compatible with said specification; and

information transmission means which transmits information extracted by said compatible-product-information extraction means to a user terminal of said user, whereby information on a product is collectively managed to facilitate designing of said product.

As per claims 3 and 15, Katoh anticipates the compatible-product-information extraction means selects product information on a product having functions designated by said specification information acquired by said specification acquisition means, and parts information on parts to be constituting elements of that product from said storage

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means, executes simulation to discriminate whether a product which is obtained by replacing constituting elements of said product indicated by said selected product information compatible with a specification designated by said specification information or not, and extracts information on a product compatible with said specification designated by said specification information and/or information on parts to be constituting elements of said product compatible with said specification based on results of said simulation.

As per claim 4, Katoh anticipates The product design support system that supports a user in designing a product according to claim 1, comprising:

storage means including parts-information storage means which stores parts information on parts constituting a product, parts-image-information storage means which stores parts image information on parts stored in said parts-information storage means, product-information storage means, which stores product information on said product formed by said parts stored in said parts-information storage means, and product-image-information storage means, which stores product image information on said product stored in said product-information storage means;

acquisition means which acquires said parts information, said product information and their image information; and

update means which updates information stored in said storage means (2) based on said information acquired by said acquisition means, whereby information on a product is collectively managed to facilitate designing of said product (col. 31, line 54 to col. 32, line 12).

As per claim 5, Katoh further anticipates the product design support system that supports a user in designing a product parts-information storage means which stores parts information on parts constituting a product; parts-image-information storage means which stores parts image information on parts stored in said parts-information storage means; product-information storage means which stores product information on said product formed by said parts stored in said parts-information storage means; product-image-information storage means which stores product image information on said product stored in said product-information storage means; restriction information storage means which stores information on a design restriction in product designing; and achievement information storage means which stores achievement information on characteristics of said product stored in said product-information storage means, whereby information on a product is collectively managed to facilitate designing of said product (col. 8, lines 30-40, cols. 12-16).

As per claim 6, Katoh anticipates the product design support system according to claim 5, wherein said achievement information includes physical property values of a product and a manufacturing cost of said product.

As per claim 7, Katoh anticipates the product design support system according to claim 5, further comprising simulation means (1) which simulates characteristics of a designed product based on said achievement information stored in said achievement information storage means (claims 70-75).

As per claim 8, Katoh anticipates the product design support system according to claim 7, further comprising simulation information transmission means which transmits

simulation information on results of simulation done by said simulation means to a user terminal of said user.

As per claim 9, Katoh anticipates the product design support system that supports a user in designing a product according to claim 1, comprising: parts-information storage means which stores parts information on parts constituting a product; parts-image-information storage means which stores parts image information on parts stored in said parts-information storage means; product-information storage means which stores product information on said product formed by said parts stored in said parts-information storage means; product-image-information storage means which stores product image information on said product stored in said product-information storage means (Summary); product specifying means which allows said user to specify a predetermined product from products stored in said product-information storage means; and product-information providing means which transmits at least one of said product information stored in said product-information storage means and said product image information stored in said product-image-information storage means, for a product specified by said product specifying means, to a user terminal of said user to provide said user with said transmitted product-related information, whereby information on a product is collectively managed to facilitate designing of said product (cols. 13-20).

As per claim 10, Katoh anticipates the product design support system according to claim 9, wherein said product image information stored in said product-image-information storage means is stored in association with said product information stored in said product-information storage means (24) and said parts image information



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stored in said parts-image-information storage means (cols. 12-13, 15-20).

As per claims 11-38, due to the similarity of the claims to the rejected base claims above, claims 11-38 are also rejected in like manner.

### ***Conclusion***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. US patent no. 6,584,603, issued to Shibuya, Toshiyuki, on June 2003
2. US patent no. 6,957,186, issued to Guheen et al, on Oct. 2005
3. US patent no. 7,071,952, issued to Ternulf et al, on July 2006

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai Phan whose telephone number is 571-272-3783.

The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on 571-272-2279. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Aug. 18, 2007

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